

### REMARKS

In the Restriction Requirement, the Examiner stated restriction was required to one of nine inventions, as listed below.

Group	Claims	Directed to
I	1-6, 8-34	Generating ascorbic acid by culturing a <i>Kluyveromyces</i> species
II	1-6, 8-34	Generating ascorbic acid by culturing a <i>Zygosaccharomyces</i> species
III	8-34	Generating ascorbic acid by culturing a yeast species
IV	35	<i>Saccharomyces cerevisiae</i> comprising a coding sequence for ARA
V	36	<i>S. cerevisiae</i> comprising a coding sequence for AGD
VI	37	<i>S. cerevisiae</i> comprising a coding sequence for ALO
VII	38	<i>S. cerevisiae</i> comprising a coding sequence for AGD and LGDH
VIII	39	<i>S. cerevisiae</i> comprising a coding sequence for ALO and LGDH
IX	40	<i>S. cerevisiae</i> comprising a coding sequence for ARA and ALO

Claim 7 was considered to link Groups I-III. Claim 11 was considered generic to a plurality of methods comprising use of yeast transformed with at least one coding region selected from ARA, AGD, ALO, LGDH, or RGLO. The Examiner required election to one species of coding region.

In response, Applicants point to their preliminary amendment filed on June 25, 2003. In the preliminary amendment, claims 1-11 and 15-40 were canceled and claims 12-14 were amended to recite methods of generating ascorbic acid by culturing a recombinant yeast functionally transformed with coding regions encoding LGDH. Applicants submit all pending claims are directed to a single invention and request the restriction requirement be withdrawn.

The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

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